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SUBJECT: ZAMBIA POLITICAL ROUNDUP

Refs: A) Lusaka 316; B) Lusaka 218; C) 06 Lusaka 1560

1. (U) Topics Covered:

- Minister of Information Sacked
- MMD Succession Speculation
- United Liberal Party Loses MPs to PF
- Government Continues to Demolish Illegal Structures
- State Wins Media Case
- FOIA Tied To Media Ethics Bill
- Parliamentary Election Petitions
- PF Suspends Lusaka Mayor

Minister of Information Sacked

12. (SBU) On April 11, President Mwanawasa announced in a press release that he had "relieved Honourable Vernon J. Mwaanga of his duties as Minister of Information and Broadcasting Services, revoked his nomination as member of parliament and removed him as chief government spokesperson and Parliamentary Chief Whip with immediate effect" (Septel to follow). The President's decision does not come as a great surprise. Mwaanga has been under fire in recent days for statements he made to journalists in the DRC last week regarding a law suit filed by DRC Kantanga Province governor Moses Katumbi, as well as statements that appeared to question a task force on corruption investigation of Kutumbi. In a statement recorded on video, Mwaanga said that the Zambian government owes Katumbi USD seven million for maize that he supplied to the GRZ in advance of the 2001 presidential election. Commenting on the task force investigation, he said that the case was an "ill-conceived fabrication by a Zambian newspaper" and added that it would be "unthinkable for us as Zambian government to consider a distinguished and senior member of the government of the Democratic Republic of Congo as a criminal."

MMD Succession Speculation

13. (SBU) Political parties and presidential hopefuls continue to maneuver for advantage following President Mwanawasa's February 11 announcement that he would not seek re-election as MMD President. Concerned about the political infighting within the party, the President recently suggested that the MMD national convention be postponed for at least a year, to take place one year before the 2011 elections. Delaying the MMD convention would reduce tensions within the party and allow the opposition less time to attack the putative MMD presidential candidate, the President explained. Despite the President's caution against speculation, a number of names have emerged as possible contenders for the MMD's top post. Some of the more prominent names mentioned are:

- Dr. Katele Kalumba, MMD National Secretary and Chief Executive Officer. A Minister of Finance and Economic Development in the Chiluba administration and the Minister of Foreign Affairs during the first six months of Mwanawasa's administration, Kulumba is an

experienced MMD leader. However, he is hurt by the fact that he is facing abuse of office and corruption charges for his alleged role in funding the ZAMTROP account in London (Ref C).

-- Minister of Home Affairs Lieutenant General (Ret'd.) Ronnie Shikapwasha. Shikapwasha is one of the best known names in Mwanawasa's cabinet, having also served as Minister of Foreign Affairs. However, there are rumors that Shikapwasha engaged in corruption when he served in the Zambian Air Force, and some consider the fact that he is related to First Lady Maureen Mwanawasa to be a liability. Possibly seeking to preempt any attacks on his integrity, Shikapwasha, who is also a reverend, recently revealed in a commencement address at Lusaka Theological College that he had been "a man of many women." In remarks widely reported in the national press, he urged the graduating pastors to resist the temptation of taking financial and carnal advantage of their flocks.

-- MMD National Chairman and Member of Parliament for Mulobezi Michael Mabenga. Mabenga's prospects to lead the MMD are limited by allegations that he stole 30 million kwacha (USD 7,500) from the Constituency Development Fund in 2001. The allegations led the Lusaka High Court to overturn Mabenga's 2001 election to Parliament, which the Supreme Court upheld on appeal. Although both the Supreme Court and the High Court directed that Mabenga be prosecuted for corruption, the government delayed prosecuting the case. Following the death of the key witness in January 2005, the GRZ claimed that it could no longer prosecute the case due to "insufficient evidence."

-- Reform Party President Dr. Nevers Mumba. In February 2007, Mumba was reported to have met with President Mwanawasa "to reconcile and resolve their differences" following his 2004 dismissal as Vice President for "gross insubordination." Analysts believe that Mumba

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called on the President to solicit his support for a possible presidential run in 2011.

-- President of the United Party for National Development (UPND), Hakainde Hichilema. Following the President's February statement that his successor should be sought from "within or outside the MMD party ranks," speculation continues that Mwanawasa may support Hichilema as the candidate to lead the MMD (Ref B). A Hichilema presidency would appeal to Mwanawasa and the MMD for a number of reasons. For Mwanawasa, Hichilema's greatest appeal may be that he does not harbor a political grudge against the President and will not antagonize him in his retirement. The MMD is likely intrigued by Hichilema's strong base in Southern Province, which would give the ruling party a huge political advantage against the opposition Patriotic Front (PF). While denying the existence of any pact between the UPND and the MMD, Hichilema has continued to show support for the president, saying that the UPND does not believe in political attacks and that the party's efforts should be directed towards alleviating poverty and underdevelopment, providing good social services, and improving people's standard of living.

United Liberal Party Loses Members to PF

14. (SBU) The United Liberal Party (ULP) lost three of its members in parliament when Henry Mtonga (ULP Vice President and PF MP for Kanyama), Given Lubinda (ULP Chairman for Information and PF MP for Kabwata), and Alfredah Mwamba (PF MP for Lukashya), declared that they were no longer members of the ULP. Prior to the announcement, ULP claimed the three as its members in parliament pursuant to an "electoral pact" between the ULP and the PF. According to the terms of the pact, it was understood that the three candidates would retain their ULP membership, although they had run for office on the PF ticket. After MMD Chairman for Information and Publicity Ben Tetamashimba asked the Speaker of the National Assembly to declare their seats vacant on the basis of dual party affiliation, the three MPs quickly clarified that they were no longer members of the ULP. The Speaker later ruled that the three were PF members and could retain their seats in parliament. Following the defections, the ULP now has three members in parliament.

Government Continues to Demolish Illegal Structures

15. (SBU) Minister of Local Government and Housing, Sylvia Masebo, said that the GRZ would continue its campaign to raze illegal structures begun in Lusaka (Ref A) and would extend the exercise to other cities and municipalities. Since razing the Kalikiliki housing compound structures, the government has razed makeshift vendors' stalls in central Lusaka and has slated illegal housing in several townships for destruction. Although there have been reports of bottle throwing and minor disturbances associated with the destruction of properties, the government campaign has not sparked widespread unrest. Many of the displaced vendors, who were relocated to sites west of the city center, reoccupied their previous positions over the long Easter weekend. In response, the Lusaka City Council said that it would begin to prosecute illegal vendors.

State Wins Media Case

16. (SBU) On March 15, the Supreme Court ruled that the Independent Broadcasting Authority (IBA) and the Zambia National Broadcasting Corporation (ZNBC) Acts of 2002 do not require the Minister of Information to submit to parliament names of nominees to sit on the IBA and ZNBC boards. Under both Acts, independent media bodies are to recommend to the Minister of Information members to sit on the boards of the IBA and ZNBC. After then-Minister of Information Mutale Nalumango refused to submit the names of the recommended board members to parliament for ratification, the media bodies sued in the High Court in June 2004. After hearing the case, the High Court issued an order in December 2004 to compel the Minister to submit the nominees to parliament. The GRZ then appealed the High Court decision.

17. (SBU) The Supreme Court reversed the High Court decision, finding that the IBA and ZNBC Acts only allow the media bodies to provide "recommendations," which the Minister is free to reject. To force the Minister to submit the names would illegally remove his power of discretion, the court said. As a consequence of the ruling, the media bodies will be required to submit a revised list of board members, presumably in consultation with the Minister of Information. Media leaders have criticized the Supreme Court decision, noting that it undermines the Acts' goal of establishing a more independent media.

FOIA Tied To Media Ethics Bill

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18. (SBU) Following the Supreme Court ruling on the IBA and ZNBC Acts, just-fired Minister of Information Vernon Mwaanga (see para 2) observed that many in Parliament believe that there is a need for greater statutory regulation of the media. Indeed, many opposition MPs who attended a recent Media Institute of Southern Africa (MISA) workshop on the need for a Freedom of Information Act (FOIA) Act in Zambia, declared that they would not support the enactment of the FOIA bill unless a media ethics bill was also introduced in parliament. The MPs appeared to be particularly concerned about reporting in the independent daily Post newspaper, which is often highly critical of government officials and which, the MPs said, frequently exceeds ethical boundaries.

19. (SBU) In his statement, Mwaanga did not indicate whether government would introduce a media ethics bill, but he suggested that the government and media bodies should discuss ways to cooperate to improve the media laws. Mwaanga lamented that during the time he served as editor of the Times of Zambia, the media regulated itself and he encouraged the media leaders to follow his example of self-restraint. On a recent MISA program on good governance that was aired live on Zambia National Broadcasting Corporation (ZNBC) Television, Justice Minister George Kunda argued in favor of a media bill that would regulate the conduct of journalists. Media leaders have argued that a media ethics bill

would stifle press freedom and promote censorship.

Parliamentary Election Petitions

¶10. (SBU) In the first court decision based on the merits of a case, rather than technicalities, on March 30, the Lusaka High Court nullified the results of the parliamentary election in Kapoche constituency, which was won by current Deputy Minister of Community Development and Social Services, Nicholas Banda. In his election petition, ousted Kopoche MP, Charles Banda, who ran on the United Democratic Alliance (UDA) ticket, alleged that the MMD candidate had engaged in unfair campaign tactics, including enlisting a local chief to threaten subjects with eviction if they did not vote for the MMD candidate. The court found that the election was "marred with illegal practices thereby depriving the majority of voters from electing their preferred candidate." The MMD MP, Nicholas Banda, will be allowed to retain his seat in parliament pending appeal of the High Court decision.

¶11. (U) Losing candidates in the September 28 parliamentary elections have now filed petitions contesting election results in 50 constituencies. As reported in Ref B, petitions in Lukashya, Kabushi, Milanzi and Isoka West have been resolved. The High Court also recently dismissed a petition in the Mangango parliamentary election petition, finding that losing UDA candidate, Webster Mulubisha, failed to prosecute his claim.

PF Expels Lusaka Mayor

¶12. (U) The opposition Patriotic Front party expelled Lusaka Mayor, Susan Nakazwe, and Councilor, Borniface Musondamwaume, from the party on March 31. Nakazwe and Musondamwaume were among the dignitaries that welcomed Chinese President Hu Jintao at the Lusaka International Airport on February 3, in defiance of a party directive not to attend any State functions involving the Chinese leader. In her defense, Nakazwe argued that, as Mayor of Lusaka, it was her duty to represent the city of Lusaka at State events. Nakazwe and Musondamwaume have sued the PF in the Lusaka High Court, where they are seeking an order to force the PF to reinstate their membership. The High Court will hear the case on April 13. Should the court rule that the PF decision to expel the two was legal, it will force by-elections that will likely be won by PF candidates in the two opposition-dominated wards.

MARTINEZ